

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL D. MILAM,

Plaintiff,

v.

SHAWN NOBLE, et al.,

Defendants.

CASE NO. C14-5828 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 9), and Plaintiff Michael Milam’s (“Milam”) objections to the R&R (Dkt. 10).

On December 5, 2014, Judge Creatura issued the R&R recommending that the Court dismiss Milam’s complaint for failure to comply with a court order. Dkt. 9. Judge Creatura had previously ordered Milam to inform the Court whether the actions complained of resulted in a conviction, which is necessary information to assess whether Milam’s complaint asserts a cognizable action under 42 U.S.C. § 1983. *Id.* Although Milam did reply to Judge Creatura’s earlier order, Milam failed to provide the requested information. *Id.* On December 10, 2014, Milam objected to the R&R but again failed to

1 state whether the alleged actions resulted in a conviction. Dkt 10. The Court finds that
2 the objections are without merit because they do not relate to the relevant issue of
3 information regarding a conviction.

4 Therefore, the Court having considered the R&R, Milam's objections, and the
5 remaining record, does hereby find and order as follows:

- 6 (1) The R&R is **ADOPTED**; and
7 (2) This action is **DISMISSED**.

8 Dated this 8th day of January, 2015.

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11 BENJAMIN H. SETTLE
United States District Judge